

Customer No.: 31561
Application No.: 10/711,812
Docket No.: 13723-US-PA

REMARKS

This is a full and timely response to the outstanding nonfinal Office Action mailed Jan. 17, 2007. Reconsideration and allowance of the application and presently pending claims 1-10 and 21-22 are respectfully requested.

Present Status of the Application

Claims 1, 2, 6-7 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Gillner (US-4,816,096; hereinafter "Gillner"). Claims 3-5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gillner in view of Miele et al. (US-5,653,929; hereinafter "Miele").

Applicant has amended claim 1 to more clearly define the present invention. Further, Applicant added new claims 21 and 22, which are originated from and supported by originally specification. After entry of the foregoing amendments, claims 1-10 and 21-22 remain pending in the present application, and reconsideration of those claims is respectfully requested.

Rejection under 35 U.S.C 102 and 35 U.S.C 103

The Office Action rejected claims 1-2, 6-7 and 10 under 35 U.S.C. 102(b) as being anticipated by Gillner.

In response thereto, Applicant hereby otherwise traverses these rejections, and

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submits that independent claim 1 and its dependent claims 2, 6-7 and 10 addressed hereby are novel and unobvious over Gillner, and thus should be allowed.

With respect to claim 1, as originally filed, recites the limitation of "an optical film adsorber facing the substrate conveyor for carrying optical films" that is critical for the claimed invention, while not disclosed by Gillner, and even not mentioned by the Examiner in the current Office Action.

Critical for setting up an anticipation *prima facie* rejection, it is held that "to anticipate a claim, the reference must teach every element of the claim". See MPEP §2143. Therefore, for failing to teach every element of claim 1, Gillner does not deem to anticipate the claimed invention as currently amended in claim 1, and its dependent claims. As such, claims 1-2, 6-7 and 10 are submitted to be novel over Gillner or any of the other cited references, taken alone or in combination, and thus should be allowed.

Applicant further submits that none of the elements disclosed in Gillner acts as an optical film adsorber as required by the claimed invention. It is so because of the principle of operation of Gillner is "producing laminated glass from at least two glass sheets and from an interlayer thickness of a plastic film glued to the two glass sheets ..." ("Field of the Invention" section). Since both of the glass sheets are conveyed by conveying rolls 28, 30, none of which can be substituted by an optical film adsorber.

Furthermore, Applicant further submits that the stop element comprises a first idler, wherein the functions of the first idler can not achieve by the wedge-shaped of the Gillner, thus for failing to teach every element of claim 1, Gillner does not deem to

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achieve the claimed invention as currently amended in claim 1, and its dependent claims. As such, claims 1-10 are submitted to be unobvious over Gillner, Miele or any of the other cited references, taken alone or in combination, and thus should be allowed. Therefore, Gillner does not be modified by Miele or any other reference to arrive at the claimed invention.

New claim

A newly added claims 21 and 22 which are indirectly depend on allowable independent claim 1, and thus should also allowable.

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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-10 and 21-22 in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date :

April 16, 2007

Respectfully submitted,

Belinda Lee

Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office

7th Floor-1, No. 100

Roosevelt Road, Section 2

Taipei, 100

Taiwan

Tel: 011-886-2-2369-2800

Fax: 011-886-2-2369-7233

Email: belinda@jicpigroup.com.tw

Usa@jicpigroup.com.tw